

**LEGISLATIVE SERVICES AGENCY  
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

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**FISCAL IMPACT STATEMENT**

**LS 6029**

**BILL NUMBER: SB 6**

**NOTE PREPARED:** Sep 29, 2006

**BILL AMENDED:**

**SUBJECT:** Disclosure of Cell Phone Location Information.

**FIRST AUTHOR:** Sen. Ford

**FIRST SPONSOR:**

**BILL STATUS:** As Introduced

**FUNDS AFFECTED:** X **GENERAL**  
**DEDICATED**  
**FEDERAL**

**IMPACT:** State & Local

**Summary of Legislation:** This bill requires a commercial mobile radio service (CMRS) provider to disclose the automatic location identification of a subscriber to the subscriber or a law enforcement officer upon request. The bill specifies that a CMRS provider release this information in an emergency situation only. This bill provides immunity from civil liability for good faith disclosures of information by CMRS providers.

**Effective Date:** July 1, 2007.

**Explanation of State Expenditures:**

**Explanation of State Revenues:** *Court Fee Revenue:* To the extent that civil actions would have occurred without immunity provided by this bill, revenue to the state General Fund would decrease from foregone court fee collections. A civil filing fee of \$100 is assessed when a civil case is filed, 70% of which would be deposited in the state General Fund if the case is filed in a court of record or 55% if the case is filed in a city or town court. Civil cases initiated by the state do not carry these court fees. No historical data are available on the number of civil court cases brought against CMRS providers for information disclosure, specifically by private parties. Consequently, precise revenue losses cannot be estimated.

**Explanation of Local Expenditures:**

**Explanation of Local Revenues:** *Court Fee Revenue:* To the extent that civil actions would have occurred without immunity provided by this bill, local governments would forgo revenue from the following sources. The county general fund would receive 27% of the \$100 filing fee that is assessed in a court of record. Cities and towns maintaining a law enforcement agency that prosecutes at least 50% of its ordinance violations in

a court of record may receive 3% of court fees. If the case is filed in a city or town court, 20% of the court fee would be deposited in the county general fund and 25% would be deposited in the city or town general fund.

**State Agencies Affected:**

**Local Agencies Affected:** Trial courts, city and town courts.

**Information Sources:**

**Fiscal Analyst:** Matt Nagle, 232-9867.